II. Remarks

Claims 1-28 and 35 of the present application are pending and rejected. By this Paper, claims 1, 11, 23, and 35 have been amended. With the amendments and remarks provided herewith, Applicants respectfully request reconsideration and withdrawal of all rejections to the claims. Support for the above amendments is found in Applicants' specification as originally filed.

More specifically, claims 1, 11, 23, and 35 have been amended to recite that the soft pusher member is configured to cooperate with the preloaded stent to absorb preload pressure of the stent "and conform to a distal end of the stent to reduce the likelihood of partial deployment of the stent when the soft pusher member is positioned at the acute bend in the body of the patient." Further, claims 23 and 35 have been amended to recite that the soft pusher member includes a tapered proximal surface configured to facilitate removal of the pusher assembly back through the deployed stent. Support for the above amendments may be found in paragraphs [0027], [0038], and [0039] of the Applicants' specification as originally filed. Thus, no new matter has been added.

Claim Rejections Under 35 U.S.C. §102(b)

Responsive to the rejections of claims 1, 2, 6-12, 14-28, and 35 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application No. 2001/0049547 to Moore (*Moore*), *Moore* fails to teach each and every element of the claimed invention. For example, independent claims 1, 11, 23, and 35 have been amended to clarify that the soft pusher member is configured to conform to a distal end of the stent to reduce the likelihood of partial deployment of the stent when the pusher member is positioned at acute bends in the body.

Contrarily, *Moore* does not teach a soft pusher member configured to "absorb preload pressure of the preloaded stent and conform to a distal end of the stent to reduce the likelihood of partial deployment of the stent when the soft pusher member is positioned at the acute bend in the body" as recited in amended claims 1, 11, 23, and 35. Accordingly, *Moore* fails to teach each and every element of the claimed invention.

Claims 2, 6-10, 12, 14-22, and 24-28 depend generally from claims 1, 11, and 23. Thus, claims 2, 6-10, 12, 14-22, and 24-28 are allowable for at least the reasons provided above.

Claim Rejections Under 35 U.S.C. §103

Responsive to the rejections of claims 1-3 and 6-28 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,702,418 to Ravenscroft (*Ravenscroft*) in view of U.S. Patent No. 6,425,898 to Wilson (*Wilson*), the combination does not teach each and every element of the claimed invention. For example, amended claims 1, 11, and 23 now recite that the soft pusher member is configured to conform to a distal end of the stent to reduce the likelihood of partial deployment of the stent when the pusher member is positioned at acute bends in the body. By absorbing the soft preload pressure of the stent at the point of contact, the soft pusher member avoids or at least reduces undesirable partial deployment of the stent during deployment. Neither *Ravenscroft* nor *Wilson,* alone or in combination, teaches a soft pusher member which absorbs preload pressure of a preloaded stent and "conforms to a distal end of the stent to reduce the likelihood of partial deployment of the stent" when the soft pusher member is positioned at the acute bend in the body during deployment of the preloaded stent.

Furthermore, claims 1, 11, and 23 recite that the soft pusher member includes "a tapered proximal surface." Neither *Ravenscroft* nor *Wilson,* alone or in combination, teaches a soft pusher member having a tapered proximal surface. The term "tapered," as defined by the Merriam-Webster online dictionary, means "to become progressively smaller toward one end; to diminish gradually." The Examiner acknowledges that *Ravenscroft* does not disclose a soft pusher member having a tapered proximal surface. See Office Action, page 5, paragraph 2. *Wilson* teaches a sleeve (21) which reinforces the stop (22) during deployment of the stent. *Wilson*, Fig. 5 and col. 6, lines 11-15. While the sleeve is proximal to and smaller than the stop, the stop (22) and sleeve (21) are in a stepped configuration. *Wilson* does not teach a pusher member having a tapered proximal surface, i.e., one that becomes progressively smaller toward one end. The tapered proximal surface of the soft pusher member of the present invention facilitates removal of the pusher assembly back through the deployed stent by reducing the likelihood of an edge catching the stent during withdrawal. *See* Applicants' specification, paragraph [0039]. The stepped configuration of the stop (22) and sleeve (21) in *Wilson* would not obtain this advantage. Thus, *Wilson* fails cure the deficiencies of *Ravenscroft*. Accordingly, *Wilson* and *Ravenscroft*, alone or in combination, do not teach or suggest each of the elements as recited in the claimed invention.

Responsive to the rejection of claim 35 under 35 U.S.C. §103(a) as being unpatentable over *Ravenscroft* in view of *Wilson* and U.S. Patent Application No. 2004/0215331 to Chew (*Chew*), the combination fails to teach each and every element of amended claim 35. For example, amended claim 35 now recites that the soft pusher member is configured to conform to a distal end of the stent to reduce the likelihood of partial deployment of the stent when the pusher member is

positioned at acute bends in the body. By absorbing the soft preload pressure of the stent at the point of contact, the soft pusher member avoids or at least reduces undesirable partial deployment of the stent during deployment. As provided above, *Ravenscroft* and *Wilson* do not teach or suggest a soft pusher member which absorbs preload pressure of a preloaded stent and "conforms to a distal end of the stent" when the soft pusher member is positioned at the acute bend in the body during deployment of the preloaded stent.

In addition, claim 35 has been amended to recite that the soft pusher member has a "tapered proximal surface." As provided above, *Ravenscroft* and *Wilson* do not teach or suggest a soft pusher member with a tapered proximal surface. Moreover, *Chew* is absent any teaching of a soft pusher member configured to conform to a distal end of the stent to reduce the likelihood of partial deployment of the stent during deployment. Further, *Chew* is absent any teaching of a soft pusher member having a tapered proximal surface.

Claims 2-10, 12-22, and 24-28 depend generally from claims 1, 11, and 23. Thus, claims 2-10, 12-22, and 24-28 are allowable for the reasons provided above.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1-28 and 35) are patentably distinguishable over the prior art and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date

/Lawrence G. Almeda/
Lawrence G. Almeda (Reg. No. 46,151)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(734) 302-6000